

09/928,546

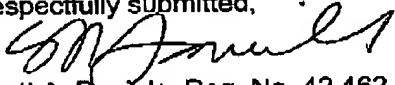
considered by the Examiner. A copy of the Supplemental Response is attached hereto for the Examiner's convenience.

In view of the foregoing, it is respectfully submitted that the raised rejection(s) should be withdrawn and this application is now placed in a condition for allowance. Action to that end, in the form of an early Notice of Allowance, is courteously solicited by the Applicant at this time.

The Applicant respectfully requests that any outstanding objection(s) or requirement(s), as to the form of this application, be held in abeyance until allowable subject matter is indicated for this case.

In the event that there are any fee deficiencies or additional fees are payable, please charge the same or credit any overpayment to our Deposit Account (Account No. 04-0213).

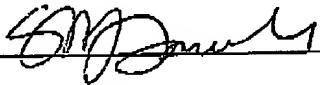
Respectfully submitted,



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**CERTIFICATE OF TRANSMISSION**

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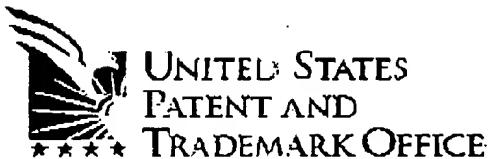
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<p>MICHAEL J. BUJOLD <small>ATTORNEY IN FIRM</small></p> <p>MSALE E. FREIDMAN <small>ATTORNEY IN FIRM</small></p> <p>GREGORY DANIELS <small>ATTORNEY IN FIRM</small></p>	<p>DAVIS &amp; BUJOLD, P.L.L.C. FOURTH FLOOR 500 NORTH COMMERCIAL STREET MANCHESTER, NEW HAMPSHIRE 03101 UNITED STATES OF AMERICA</p> <p>TELEPHONE (603) 622-0200 FACSIMILE (603) 622-0200 E-MAIL: <a href="mailto:BUJOLD@COMCASTNET.COM">BUJOLD@COMCASTNET.COM</a></p>	<p>OR COUNSEL:</p> <p>ANTHONY GILL DAVIS <small>ATTORNEY IN FIRM</small></p> <p>DARBY O. CLAPP <small>ATTORNEY IN FIRM</small></p> <p>DOCTOR ADAMS <small>ATTORNEY IN FIRM</small></p>
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<p>TO: Thuy Van Tran FAX #: (703) 872-8326</p> <p>COMPANY: U.S. Patent &amp; Trademark Office - Group Art Unit #3852</p> <p>FROM: Michael J. Bujold TOTAL NO. OF PAGES SENT: 9</p> <p>DATE: May 6, 2002</p> <p>REMARKS AND ENCLOSURES:</p> <p>In re Appl. of: Angelo SPERANZA Serial No.: 09/928,548 Filed: August 13, 2001 For: FOOD DISPENSING CYCLE AND MEANS Group Art Unit: 3852 Examiner: Thuy Van Tran Doctor: ROCKCO P32AUSRI</p> <p>RECEIVED: Supplemental Response- 8 pgs.</p>		
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## PATENT APPLICATION

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Angelo SPERANZA  
 Serial no. : 09/928,546  
 Filed : August 13, 2001  
 For : FOOD DISPENSING CYCLE AND MEANS  
 Group Art Unit : 3652  
 Examiner : Thuy Van Tran  
 Docket : ROCKCO P32AUSRI

The Commissioner of Patents and Trademarks  
 Washington, D.C. 20231

## SUPPLEMENTAL RESPONSE

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Dear Sir:

<b>[XXX] PLEASE CHARGE OUR ACCOUNT NUMBER 04-0213, BASED UPON THE APPLICANT'S SMALL ENTITY STATUS.</b>		
PETITION FOR	MONTH(S) EXTENSION OF TIME	\$
NOTICE OF APPEAL		\$
TERMINAL DISCLAIMER		\$
LATE SUBMISSION OF INFORMATION DISCLOSURE STATE.		\$
TOTAL CLAIMS ALREADY PAID FOR <u>40</u> ADDITIONAL CLAIMS ADDED HEREBY <u>6 X 9</u> =		\$ 54
TOTAL INDEPENDENT CLAIMS ALREADY PAID FOR <u>7</u> ADDITIONAL IND. CLAIMS ADDED HEREBY <u>6 X 42</u> =		\$252
<b>TOTAL</b>		<b>\$306</b>

Further in response to the official action mailed February 1, 2002, to the response filed April 9, 2002 and the interview with the Examiner of April 18, 2002, please additionally amend the above identified application as follows:

**In the Claims:**

Please add new claims 41-46 as set forth below, and cancel claim 8, without prejudice, which is substantially a duplicate of claim 7.

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41. (NEW) A method of preparing, transporting and dispensing food, the method comprising the steps of:

preparing the food for consumption at a first location;  
apportioning the food onto a plurality of trays at the first location;  
providing a maneuverable rack, lacking any heating and cooling means,  
with a predetermined stacking arrangement of particular dimensions, and stacking the  
plurality of trays, once apportioned with food, in the rack;  
loading the rack, stacked with the plurality of trays, onto a refrigerated  
transport vehicle for transportation to a second remote location;  
transferring the rack, at the second location, from the refrigerated transport  
vehicle to a moveable receptacle, and the moveable receptacle having a heating means  
and a cooling means, and the receptacle being configured to receive at least one rack;  
relocating the moveable receptacle to a desired position;  
activating the heating means and the cooling means to regenerate the  
apportioned food of the plurality of trays of the rack; and  
dispensing the plurality of trays, containing the apportioned food, to  
consumers for consumption once the apportioned food is sufficiently regenerated.

42. (NEW) A method of preparing, transporting and dispensing food between  
a series of remote locations, the method comprising the steps of:

preparing the food for consumption at a first location;  
apportioning the food onto a plurality of trays at the first location;  
stacking the trays in a manually maneuverable rack providing only a  
predetermined stacking arrangement of particular dimensions and lacking any heating  
and cooling means;  
loading the maneuverable rack onto a transfer vehicle for transportation  
to a second remote location;  
transferring the maneuverable rack, at the second location, into a  
moveable receptacle having a heating means and a cooling means, and the receptacle  
being configured to receive at least one rack;  
relocating the moveable receptacle to a desired position;  
activating the heating means and the cooling means prior to dispensing  
of the food trays to consumers; and  
dispensing the food trays to the consumers for consumption.

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43. (NEW) A method of preparing and transporting food for regeneration comprising the steps of:

apportioning food onto at least one tray;

loading at a first location at least one tray bearing the apportioned food onto a rack for receiving and supporting the at least one tray, the rack having no heating system and no cooling system;

loading the rack, containing the at least one tray, onto a transport vehicle for transportation to a remote location from the first location;

transporting the rack, containing the at least one tray bearing the apportioned food, in the transport vehicle to the remote location;

after the rack has been transported to the remote location in the transport vehicle, transferring the rack from the transport vehicle to a receptacle having a heating system and a cooling system, the receptacle being configured to receive at least one rack; and

activating a heating system and a cooling system to regenerate the apportioned food on the at least one tray on the rack that is positioned in the receptacle.

44. (NEW) A method of preparing and transporting food for regeneration comprising the steps of:

apportioning food onto at least one tray;

loading at a first location at least one tray bearing the apportioned food onto a rack for receiving and supporting the at least one tray, the rack having no heating system and no cooling system;

loading the rack, containing the at least one tray, onto a transport vehicle for transportation to a remote location from the first location;

transporting the rack, containing the at least one tray bearing the apportioned food, in the transport vehicle to the remote location;

after the rack has been transported to the remote location in the transport vehicle, transferring the rack from the transport vehicle to a receptacle, the receptacle being configured to receive at least one rack; and

activating a heating system and a cooling system to regenerate the apportioned food on the at least one tray on the rack that is positioned in the receptacle;

the heating system and the cooling system being demountably coupled to the receptacle.

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45. (NEW) A method of preparing and transporting food for regeneration comprising the steps of:

apportioning food onto at least one tray;

loading at a first location at least one tray bearing the apportioned food onto a rack for receiving and supporting the at least one tray, the rack having no heating system and no cooling system;

loading the rack, containing the at least one tray, onto a transport vehicle for transportation to a remote location from the first location;

transporting the rack, containing the at least one tray bearing the apportioned food, in the transport vehicle to the remote location;

after the rack has been transported to the remote location in the transport vehicle, transferring the rack from the transport vehicle to a receptacle, the receptacle being configured to receive at least one rack;

providing the receptacle with a heating system and a cooling system to regenerate the apportioned food on the at least one tray on the rack in the receptacle; and

activating at least one of the heating system and the cooling system to regenerate the apportioned food on the at least one tray on the rack that is positioned in the receptacle;

the heating system and the cooling system being located in the receptacle.

46. (NEW) A method of preparing and transporting food for regeneration comprising the steps of:

apportioning food onto at least one tray;

loading at a first location at least one tray bearing the apportioned food onto a rack for receiving and supporting the at least one tray, the rack having no heating system and no cooling system;

loading the rack, containing the at least one tray, onto a transport vehicle for transportation to a remote location from the first location;

transporting the rack, containing the at least one tray bearing the apportioned food, in the transport vehicle to the remote location;

after the rack has been transported to the remote location in the transport vehicle, transferring the rack from the transport vehicle to a receptacle, the receptacle being configured to receive at least one rack;

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providing the receptacle with a heating system and a cooling system to regenerate the apportioned food on the at least one tray on the rack in the receptacle; and

activating at least one of the heating system and the cooling system to regenerate the apportioned food on the at least one tray on the rack that is positioned in the receptacle;

the heating system and the cooling system being located in the receptacle.

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**REMARKS**

The Applicant thanks the Examiner for the informative interview of April 18, 2002 with respect to the present application. In view of the issues discussed during the interview as outlined in the interview summary, the Applicant respectfully submits a Supplemental Response to be considered in light of the previous response of April 9, 2002 and the relevant discussions between the Examiner and the undersigned representative of the Applicant.

Regarding the Examiner's concern specifically with the last paragraph in col. 2, lines 62 through 68 of Colato et al. '736, the Applicant reiterates that although Colato discusses the feeding of individuals from a location remote from food service facilities, the same paragraph discusses accomplishing the remote location feeding by "providing a refrigerated tray rack having means for heating certain of the food dishes on the trays therein....". As discussed during the interview and as pointed out in the previous response, Colato et al. specifically utilizes a rack including a heating element for each tray deposited therein and that this tray rack is also refrigerated in some manner.

Further, the last paragraph of col. 2 of Colato et al. '736 does not state that racks are transported to remote locations without first being positioned in a regeneration receptacle or cart. Colato requires that the regeneration receptacle or cart Ca with one or more racks C of loaded trays of food contained therein be transported from the central supply point to the desired location where regeneration takes place as is stated in Colato et. al. '736, for example, at col. 2, lines 16-20, which states:

The enclosure or cart with its tray rack or racks and complete trays within the same may be prepared with food at a central supply point and then conveyed to any desired location and during such time all food on the tray remains refrigerated.

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Moreover, the last paragraph of col. 2 of Colato et al. '736 states that "Location feeding...can be accomplished by providing a refrigerated tray rack" (Colato's rack C) "having means for heating certain food dishes on the trays therein as hereinbefore described and transported by an appropriate vehicle" (Colato's cart Ca) "having means for holding one or more tray racks" (Colato's racks C). The "refrigerated tray rack" referred to is Colato's rack C, and the "vehicle" referred to is Colato's cart Ca.

In contrast, under Applicant's method, the regeneration receptacle is not loaded at the central food preparation area and transported to a remote location from the central food preparation area for regeneration of the food. Rather, in accordance with Applicant's invention, only the rack loaded with trays of food is transported between the central food preparation area and the remote location, which eliminates the need for expensive regeneration carts to be transported outside the site where they are used.

The absence of heating and cooling means on the rack (as recited in new claims 41-46) and the elimination of the need to transport heating and cooling means from the location where the food is prepared to the location where regeneration takes place are not taught, suggested or disclosed by the prior art. Moreover, Applicant's claimed inventive method provides huge advantages detailed in Applicant's specification which are not known in the prior art. Accordingly, it is respectfully submitted that the claimed invention is patentably distinct over the prior art.

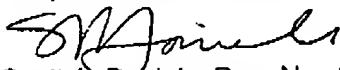
In view of the discussions of April 18, 2002, Applicant has added six new independent claims to round out the coverage of the claims. Please enter the new claims before substantive reconsideration of this application.

In view of the foregoing, it is respectfully submitted that this application is now placed in a condition for allowance. Action to that end, in the form of an early Notice of Allowance, is courteously solicited by the Applicant at this time.

09/928,546

In the event that there are any fee deficiencies or additional fees are payable, please charge the same or credit any overpayment to our Deposit Account (Account No. 04-0213).

Respectfully Submitted,



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